

Calendar No. 1021

110TH CONGRESS
2D SESSION**H. R. 3022**

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

Received; read twice and referred to the Committee on Energy and Natural
Resources

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Omit the part struck through and insert the part printed in italic]

AN ACT

To designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sequoia and Kings
5 Canyon National Parks Wilderness Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (2) STATE.—The term “State” means the State
4 of California.

5 **SEC. 3. DESIGNATION OF WILDERNESS AREAS.**

6 In accordance with the Wilderness Act (16 U.S.C.
7 1131 et seq.), the following areas in the State are des-
8 ignated as wilderness areas and as components of the Na-
9 tional Wilderness Preservation System:

10 (1) JOHN KREBS WILDERNESS.—

11 (A) DESIGNATION.—Certain land in Se-
12 quoia and Kings Canyon National Parks, com-
13 prising approximately 69,500 acres of land, and
14 130 acres of potential wilderness additions as
15 generally depicted on the map numbered 102/
16 60014a, titled “John Krebs Wilderness”, and
17 dated March 10, 2008.

18 (B) LIMITATIONS.—The designation of the
19 wilderness under subparagraph (A) does not
20 preclude operation and maintenance of the ex-
21 isting Hockett Meadow Cabin and Quinn Patrol
22 Cabin in the same manner and degree in which
23 the cabins were operated and maintained on the
24 day before the date of enactment of this Act.

1 (C) EFFECT.—Nothing in this paragraph
2 affects—

3 (i) the cabins in, and adjacent to,
4 Mineral King Valley; or

5 (ii) the private inholdings known as
6 “Silver City” and “Kaweah Han”.

7 (D) POTENTIAL WILDERNESS ADDI-
8 TIONS.—The designation of the potential wil-
9 derness additions under subparagraph (A) shall
10 not prohibit the operation, maintenance, and re-
11 pair of the small check dams and water im-
12 poundments on Lower Franklin Lake, Crystal
13 Lake, Upper Monarch Lake, and Eagle Lake.
14 The Secretary is authorized to allow the use of
15 helicopters for the operation, maintenance, and
16 repair of the small check dams and water im-
17 poundments on Lower Franklin Lake, Crystal
18 Lake, Upper Monarch Lake, and Eagle Lake.
19 The potential wilderness additions shall be des-
20 ignated as wilderness and incorporated into the
21 John Krebs Wilderness established by this Act
22 upon termination of the non-conforming uses.

23 (2) SEQUOIA-KINGS CANYON WILDERNESS AD-
24 DITION.—Certain land in Sequoia and Kings Canyon
25 National Parks, California, comprising approxi-

1 mately 45,186 acres as generally depicted on the
2 map titled “Sequoia-Kings Canyon Wilderness Addi-
3 tion”, numbered 102/60015a, and dated March 10,
4 2008, is incorporated in, and shall be considered to
5 be a part of, the Sequoia-Kings Canyon Wilderness.

6 **SEC. 4. ADMINISTRATION OF WILDERNESS AREAS.**

7 (a) IN GENERAL.—Subject to valid existing rights,
8 each area designated as wilderness by this Act shall be
9 administered by the Secretary in accordance with the Wil-
10 derness Act (16 U.S.C. 1131 et seq.), except that any ref-
11 erence in the Wilderness Act to the effective date of the
12 Wilderness Act shall be considered to be a reference to
13 the date of enactment of this Act.

14 (b) MAP AND LEGAL DESCRIPTION.—

15 (1) SUBMISSION OF MAP AND LEGAL DESCRIP-
16 TION.—As soon as practicable, but not later than 3
17 years, after the date of enactment of this Act, the
18 Secretary shall file a map and legal description of
19 each area designated as wilderness by this Act
20 with—

21 (A) the Committee on Energy and Natural
22 Resources of the Senate; and

23 (B) the Committee on Natural Resources
24 of the House of Representatives.

1 (2) FORCE AND EFFECT.—The map and legal
2 description filed under paragraph (1) shall have the
3 same force and effect as if included in this Act, ex-
4 cept that the Secretary may correct any clerical or
5 typographical error in the map or legal description.

6 (3) PUBLIC AVAILABILITY.—The map and legal
7 description filed under paragraph (1) shall be on file
8 and available for public inspection in the Office of
9 the Secretary.

10 (c) HYDROLOGIC, METEOROLOGIC, AND CLIMATO-
11 LOGICAL DEVICES, FACILITIES, AND ASSOCIATED EQUIP-
12 MENT.—The Secretary shall continue to manage mainte-
13 nance and access to hydrologic, meteorologic, and climato-
14 logical devices, facilities and associated equipment con-
15 sistent with House Report 98–40.

16 (d) NO BUFFER ZONES.—

17 (1) IN GENERAL.—Nothing in this Act creates
18 a protective perimeter or buffer zone around an area
19 designated as wilderness by this Act.

20 (2) ACTIVITIES OUTSIDE WILDERNESS.—Noth-
21 ing in this Act precludes authorized activities con-
22 ducted outside of the areas designated as wilderness
23 by this Act by cabin owners (or their designees) in
24 the Mineral King Valley area, or the property own-
25 ers (or their designees) or lessees in the Silver City

1 private inholding (as identified on the map titled
 2 “John Krebs Wilderness” and dated March 10,
 3 2008).

4 (e) HORSEBACK RIDING.—Nothing in this Act pre-
 5 cludes horseback riding in, or the entry of recreational or
 6 commercial saddle or pack stock into, an area designated
 7 as wilderness by this Act.

8 (d) AUTHORIZED ACTIVITIES OUTSIDE WILDER-
 9 NESS.—Nothing in this Act precludes authorized activities
 10 conducted outside of an area designated as wilderness by
 11 this Act by cabin owners (or designees) in the Mineral King
 12 Valley area or property owners or lessees (or designees) in
 13 the Silver City inholding, as identified on the map de-
 14 scribed in section 3(1)(A).

15 (e) HORSEBACK RIDING.—Nothing in this Act pre-
 16 cludes horseback riding in, or the entry of recreational or
 17 commercial saddle or pack stock into, an area designated
 18 as wilderness by this Act—

19 (1) in accordance with section 4(d)(5) of the Wil-
 20 derness Act (16 U.S.C. 1133(d)(5)); and

21 (2) subject to any terms and conditions deter-
 22 mined to be necessary by the Secretary.

23 SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

24 There are authorized to be appropriated such sums
 25 as are necessary to carry out this Act.

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